

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sleep Number Corporation,

Plaintiff,

v.

Steven Jay Young; Carl Hewitt; UDP Labs,
Inc., a Delaware Corporation,

Defendants.

Court File No. 20-cv-1507-NEB-ECW

**MOTION TO DISMISS PURSUANT
TO FEDERAL RULES OF CIVIL
PROCEDURE 12(b)(2), 12(b)(3), AND
12(b)(6), OR ALTERNATIVELY TO
TRANSFER PURSUANT TO 28 U.S.C.
§ 1404(a)**

Defendants Steven Young, Carl Hewitt, and UDP Labs, Inc., by and through their undersigned counsel, hereby move pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(3), and 12(b)(6), for an Order dismissing the above-captioned matter or, in the alternative, an Order transferring this action to the Northern District of California pursuant to 28 U.S.C. § 1404(a).

This Motion is based upon this Notice of Motion and Motion, the attached Memorandum of Law in support thereof; the Declarations of Steven Young, Carl Hewitt, and Rachel Walsh filed concurrently herewith; all of the pleadings, files, and records in this proceeding; and any additional argument or evidence that may be presented to or considered by the Court.

Dated: August 12, 2020

By: /s/ Rachel M. Walsh

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